

Message Text

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PAGE 01 SEOUL 10012 180216Z
ACTION EA-09

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E.O. 11652: N/A
TAGS: PINT KS
SUBJ: MYONGDONG TRIAL--SEVENTH APPEALS SESSION: AFTERNOON

REF: SEOUL 10010

1. SEVENTH SESSION MYONGDONG APPEALS TRIAL CONTINUED THROUGH AFTERNOON DECEMBER 17. DEFENSE ATTORNEYS PREFACED REMARKS BY NOTING THAT, WHILE THEY REALIZE THEY ARE NOT EXEMPT FROM EM-9, THEY HOPED COURT WOULD ACCEPT TRADITION THAT DEFENSE LAWYERS NOT BE PROSECUTED FOR THEIR STATEMENTS ON BEHALF OF CLIENTS. LAWYER PAK SE UNG MADE GENERAL DEFENSE SUMMARY USING THEME THAT WESTERN STYLE DEMOCRACY AS IMPORTANT A WEAPON AGAINST NORTH KOREAN THREAT AS ECONOMIC AND MILITARY STRENGTH. EIGHT OTHER DEFENSE LAWYERS FOLLOWED, EACH ADDRESSING A SPECIFIC ISSUE. DURING THEIR PRESENTATIONS THEY QUESTIONED LEGALITY OF YUSHIN CONSTITUTION SINCE IT WAS ADOPTED UNDER MARTIAL LAW; THEY QUESTIONED LEGALITY OF EM-9 SINCE EMERGENCY MEASURE ISSUED WITHOUT TIME LIMIT; THEY DREW UPON TESTIMONY HEARD BY COURT TO SHOW DEFENDANTS' ALLEGATIONS OF EXISTING LACK OF SOCIAL JUSTICE, INDEPENDENCE OF JUDICIARY, FREE PRESS, RELIGIOUS FREEDOM WERE TRUE. DEFENSE ATTORNEYS CALLED FOR ACQUITTAL OF THEIR CLIENTS.

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2. COURT SET NEXT SESSION FOR DECEMBER 18, WHEN EIGHTEEN MORE DEFENSE LAWYERS EXPECTED TO SUMMARIZE ON BEHALF OF INDIVIDUAL DEFENDANTS. DEFENDANTS THEN HAVE RIGHT TO MAKE INDIVIDUAL FINAL STATEMENTS TO COURT. HOPES FOR CHRISTMAS RECESS DIM.
SNEIDER

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